

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DERRICK A. RANKINE

Plaintiff,

v.

SUPERINTENDENT FOLINO, et al.,

Defendants.

1:04cv100

ORDER

AND NOW, *to wit*, this 25th day of July, 2005, the Plaintiff having appealed the July 7, 2005 Order of United States Magistrate Judge Baxter [Doc. No. 90] denying his motions for an indefinite continuance and for recusal of Judge Baxter,

IT IS HEREBY ORDERED that the Appeal is DENIED. The July 7, 2005 Order of United States Magistrate Judge Baxter [Doc. No. 90] is AFFIRMED.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record.